

# SENATE COMMITTEE ON RULES AND REDISTRICTING

January 23, 2001 Hearing Room C  
03:00 P.M. Tapes 6 - 7

**MEMBERS PRESENT:** Sen. Steve Harper, Chair  
Sen. Peter Courtney, Vice-Chair  
Sen. Lee Beyer  
Sen. Kate Brown  
Sen. Randy Miller  
Sen. John Minnis

**MEMBER EXCUSED:** Rep. Atkinson

**STAFF PRESENT:** Craig Allen, Committee Administrator  
Annetta Mullins, Committee Assistant

**MEASURE/ISSUES HEARD:** Public Hearing and Work Session  
SCR 1  
Informational Meeting  
Legislative Term Limits  
Public Hearing  
Legislative Term Limits  
Work Session  
Introduction of Committee Measures

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These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 6, A</b>		
004	Chair Harper	Calls meeting to order at 3:02 and opens a public hearing on SCR 1.
<b><u>SCR 1 - PUBLIC HEARING</u></b>		
010	Anthony Bieda	Intergovernmental Relations Manager, Lane County. Thanks committee for consideration of the resolution.
017	Chair Harper	Closes the public hearing and opens a work session on SCR 1.
<b><u>SCR 1 - WORK SESSION</u></b>		
020	Sen. Courtney	<b>MOTION: Moves SCR 1 be sent to the floor with a BE ADOPTED recommendation.</b>
		<b>VOTE: 5-0</b>
		<b>EXCUSED: 2 - Sens. Atkinson, L. Beyer</b>
	Chair Harper	<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. L. BEYER will lead discussion on the floor.</b>
<b><u>INTRODUCTION OF COMMITTEE MEASURES - WORK SESSION</u></b>		
030	Sen. Courtney	<b>MOTION: Moves LCs: 40, 340, 392, 1246, 1299, 1452, 1784, 2086, and 2077 BE INTRODUCED as committee bills.</b>
40	Sen. Minnis	Asks if LC 40 is a revenue raising measure.

043 Sen. Brown Explains that the bill is at the request of the 82<sup>nd</sup> Avenue Business Association. Adds that she does not believe it is a revenue raising measure.

Chair Harper Comments that it is a courtesy to introduce the bills to get them into the system.

053 **VOTE: 6-0**  
**EXCUSED: 1 - Atkinson**  
**Chair Harper Hearing no objection, declares the motion CARRIED.**

LC 40 introduced as SB 448  
 LC 340 introduced as SB 449  
 LC 392 introduced as SB 450  
 LC 1246 introduced as SB 451  
 LC 1299 introduced as SB 452  
 LC 1452 introduced as SB 453  
 LC 1784 introduced as SB 454  
 LC 2086 introduced as SB 455  
 LC 2077 introduced as SB 460

**TERM LIMITS - PUBLIC HEARING**

057 Chair Harper Announces that the hearing is for informational purposes. The committee would like to hear what people have to say and get some direction on term limits.

065 Todd McCauley U. S. Term Limits and local grass root groups. Testifies in support of maintaining the current term limit restriction on legislators:

- 079
- In 1992 Oregon voters passed term limits on legislators by 70 percent.
  - Recent polls have shown that voter attitude has strengthened over the years.
  - Voters believe term limits have been good for the legislature.
- 084
- While voters recognize that term limits do cause a temporary disruption when the balance of power shifts every few years and adds to the burden of the legislators, they feel it is a small price to pay because it allows new people with new ideas to get into the legislature who would not otherwise have a chance to serve.
- 090
- They believe that any attempts by the legislature to change or alter what the voters want will be looked upon with great skepticism and increase the already high level of cynicism that voters feel about politicians and elected officials.
- 094
- Big businesses, special interest and lobbying firms will not defend term limits; they are the ones who normally benefit when the power and decision-making process is held by the few members in the leadership of the legislature.
  - Would be displeased if the legislature takes action on term limits.
  - U. S. Terms Limits will help and assist local grass roots efforts to ensure that the voices of the people of Oregon are heard and respected.

		Issues discussed by McCauley and members:
104		• Position of witness with U. S. Term Limits.
108		• Whether modifications to term limits are being considered.
		• How witness got involved in representing the group.
126		• Lifetime ban on service in the legislature.
		• Whether lifetime ban is restriction of free speech.
143		• Number of choices by voters in 1992.
		• Whether a different choice would have been adopted if the voters had had a choice.
165		• Whether the citizens of Oregon still want to impose term limits.
		• Whether the information demonstrates a greater or lesser support than if there had been a referral from the legislature.
184		• Whether signing of a petition by a legislator would be self-serving.
204		• Number of states with term limits.
		• Number of states that have "internal" limits, the 12-year lifetime, and also the restriction of three terms in the House and two in the Senate.
213	McCauley	Agrees to provide information on the number of states with "internal" limits and how many legislatures subject to term limits operate on an every-other-year basis.
		Additional issues discussed by McCauley and members:
231		• Tax status of organization.
247		• Residence of witness.
		• Length of California legislative sessions.
264		• Income of California legislators.
		• Perks for California legislators.
275		• Philosophy of group on term limits.
270		• Whether extensive lengths of service is what prompted term limits.
305		• Whether the group supports terms limits for U. S. Congress.
307		• Whether McCauley has researched in 10-year increments of time back to 1937 to see what kind of turnover has occurred in Oregon.
320	Sen. Courtney	Cites statistics on turnover in the Oregon House and Senate since 1937.
		Additional issues discussed by McCauley and members:
348		• Long-term tenure of chairs of committees.
364		• The number of women and people of color elected to the California legislature since term limits have been in effect.
382	McCauley	Agrees to provide information on the number of women and minorities elected to the California legislature since term limits have been in effect. States female chair representation, African-American, and Hispanic female and male representation has increased under the term limits.
	Sen. L. Beyer	Asks if the same information can be gathered on all 19 states with term limits.
	McCauley	Responds that it may not be easy, but the information could be gathered.

Additional issues discussed by McCauley and members:

- 393 • Whether U. S. Term Limits would support a change to allow a person to serve 12 years in either house if it affected the current membership of the legislature.
- 400 • Whether U. S. Term Limits would support allowing legislators to serve a total of 12 years in either the House or the Senate, not the six and eight years.
- 416 • Who has the real power in the legislative process.
- 445 • Why not term limit lobbyist and special interests.
- 462 • Why not limit administrators in state agencies.
- 479 • Why not term limit judges.
- Whether the lifetime ban is against voters' free speech because they are not allowed to make a choice.

**TAPE 7, A**

030 Kappy Eaton

Governance Chair, League of Women Voters of Oregon.  
Testifies in opposition to term limits (**EXHIBIT A**).

Issues discussed by Eaton and members:

- 070 • Whether the League of Women Voters would settle for a modification of the current limitation.
- 070 • Whether a legislative referral or an initiative by the voters would be viewed differently by voters.
- Impact on current members; focus on house members
- 101 • Why not change to annual sessions to allow representatives time to acquire experience.
- 120 • Support of League of Women Voters for annual sessions.
- 131 • When the issue could be put on the ballot.

150 Mark Nelson

Public Affairs Council. Comments he has been involved since last session trying to place before the voters something that could pass. Would like to see term limits eliminated but does not believe that is possible. Comments that he does not believe it would make a difference whether the issue is legislatively referred or voter referred. Presents survey results from two years ago:

- Survey was a sample size of 400 statewide registered voters between April 2 and 6. The margin of error was 4.9 percent.
- Survey asked participants if they favor or oppose amending the term limit law so legislators can serve 12 years "in either house"; the result was "slightly opposed."
- The response to the question of whether they would favor or oppose the proposal by former Speaker Snodgrass was 45 percent in favor to 44 percent.
- 211 • To find out how the participants felt about their own legislator, the question proposed was, "If you knew one version of this 12-year term limits proposal would allow the current legislator serving in his/her last term under the existing term limits law to serve at least one more term, would you favor or oppose the measure." Support for the measure went up slightly.
- Survey also asked the participants if they knew another version of this 12-year term limits proposal only applied to new legislators and would not apply to current legislators who are serving their last term under the existing term limits

		law, would they favor or oppose." The opposition went up 20 points. States that the participants were saying that if it were only limited to new legislators as opposed to current legislators at the time, they would increase their opposition to the proposal.
229		<ul style="list-style-type: none"> <li>• Survey asked the participants if they knew the passage of this proposal would allow them to retain their own present legislator for no more than 12 years of legislative service in that person's lifetime, whether they would favor or oppose. The response was slightly favoring.</li> </ul>
240		<ul style="list-style-type: none"> <li>• Also asked the participants if they had to choose, would they prefer to modify existing term limits in the Oregon legislature to allow a maximum of 12 years of service in one's lifetime for new legislators only, or if they would prefer to modify existing term limits for both existing and new legislators. Seventy percent said both, existing and new legislators. Only 11 percent said new.</li> <li>• They are looking at doing something more exhaustive in this area and will probably revisit these and many other issues.</li> <li>• Believes the numbers will only increase. Believes the public slowly is beginning to understand the impact of term limits and is beginning to question why they have it if they are not the final arbiters of who does and doesn't serve.</li> </ul>
275	Chair Harper Nelson	Asks Nelson what his feeling is on total repeal. Comments he believes the public would look at a total repeal. Adds that there is a problem explaining the differences between the current 12-year lifetime limit with sub-limits to people in a campaign. Believes the 12-year lifetime with no sub-limits would pass, but does not believe that is good public policy. Adds that he is not sure that the total repeal could pass but it is something they will test.
291	Sen. Brown Nelson	Asks whether Oregon voters would be more apt to pass a legislative referral or a voter driven initiative on modification. Responds he doesn't think it makes a difference. Adds that he doesn't think people look at it as self-serving.
284	Sen. Brown Nelson	Asks how much it would cost to have Greg Clapper come in to defeat a measure that affects current membership. Responds he thinks a campaign against term limits could be effective with \$200,000 to \$500,000.
340	David Buchanan	Executive Director, Oregon Common Cause. Testifies in opposition to term limits. <ul style="list-style-type: none"> <li>• The law was enacted under different circumstances than exists today.</li> </ul>
356		<ul style="list-style-type: none"> <li>• One of the reasons the law passed was because it had a partisan basis. At the time the law was put before the voters the legislature had been under the control of the Democratic party for a number of terms.</li> </ul>
367		<ul style="list-style-type: none"> <li>• Believes other voters who voted for term limits have also learned from experience.</li> </ul>
403		<ul style="list-style-type: none"> <li>• Voters also had the U. S. Congress in mind.</li> <li>• Cannot recall when any committee chair acquired a dictatorial power over his/her committee.</li> </ul>
411		<ul style="list-style-type: none"> <li>• The legislative leaderships and the committees are products</li> </ul>

of the legislators themselves; if the legislators themselves re-elect a certain leader or committee chair, they express their appreciation of the work that has been done rather than being subject to dire influences to coerce them to renew somebody's power against somebody's good judgement or will.

- Thinks there has been a significant amount of change of opinion and change of information that has occurred and thinks if the voters had the option of voting on a modified term limits, there is a lot of reason to believe that it would be successful.
- The track record is that legislatively initiated ballot measures have a higher passage rate than initiatives from the voters..

450 Chair Harper

Asks if Buchanan would be more comfortable with a modification rather than repeal.

Buchanan

Responds that that is the kind of small scale detail insiders would probably focus on. Doubts that one could find one voter in 100 that was aware of the internal limits when they voted.

**TAPE 6, B**

021 Sen. L. Beyer

Comments he thinks there is some reason for term limits. His personal preference would be for 12 years but not lifetime. The best example would be someone coming back later in life and serving admirably. Also thinks from having served in both chambers that the House has some real organizational problems because members cannot get up to speed that quickly, given the fact that Oregon has biennial sessions. Adds that since term limits have been in effect, the cost of campaigning has catapulted and thinks the influence of the lobby has probably increased--the inverse of what people think.

048 Sen. Miller

Comments he authored a bill in 1991 for a 12 year limit with no internal limit. Believes the legislature was paying attention to a national movement but decided to resist that form. Then along came the boilerplate language and it was the only choice Oregon voters had and they adopted it. States that Oregon is one of six states that meets every other year and the internal limits in the House and Senate do not make any sense here. Adds that he is encouraged by the polling information saying there are some people who would like to save their own legislators. States that he also appreciates the testimony by the League of Women Voters. If this is good policy, to the extent we can make the changes so we can deliberate whether or not we would allow somebody after 12 years to come back, is a discussion that could be had. If we started the discussion keeping the 12-year limit in place, keeping the time clock that started in 1992 continuing to run, he believes that would keep faith with the number of voters who still believe term limits are the right thing. Thinks it is in the best interest of the State of Oregon to change the internal limits and the sooner, the better. Does not believe it makes a difference whether it is by initiative or by the legislature. States that he believes this legislature should do it and get it on the ballot this May.

090 Sen. Brown

Comments she does not think her position has changed any from

last year from putting it on the November 2002 ballot to let as many voters as possible vote on it. Adds that if a measure were to be defeated now, the legislature could be living with it for the next 10 or 20 years.

103

Chair Harper

Adjourns meeting at 4:03 p.m.

Submitted By,

Reviewed By,

Annetta Mullins,  
Committee Assistant

Craig Allen,  
Committee Administrator

**EXHIBIT SUMMARY**

**A - Term Limits, Legislative, prepared statement, Kappy Eaton, 1 p**